

*Atty. Docket 4119-00400
(formerly 86007.40)*

Patent

REMARKS

The Office Action mailed July 26, 2005, and the references cited by the Examiner have been carefully reviewed by Applicant. Claims 1-3, 7-17, 19, 25-27 are currently pending. Applicant respectfully submits that the claims currently pending, for the reasons discussed below, place this case in condition for allowance and Applicant earnestly seeks such allowance.

Rejection of Claims under 102(e)

In the Office Action mailed July 26, 2005, the Examiner rejected Claims 1, 7 and 8 under 35 USC § 102(e) as being anticipated by published U.S. application to Staniszewski (2004/0075581). The Staniszewski reference is directed to an electronic device which may be used to remind car owners regarding day(s) and/or time(s) that parking restrictions are in effect. (Staniszewski, paragraph 9) The reference also discloses an electronic timer that may be used to remind car owners that parking meter time is about to expire, and/or alert the owner about other events, such as scheduled maintenance, oil change, and annual inspection. (Staniszewski, paragraph 10) The reference states (see paragraph 3) that drivers often have to remember parking regulations and need reminders when time is about to expire on parking meters to avoid getting tickets. The electronic timer device disclosed in Staniszewski is directed to solving this problem and provides such reminders. Also, the electronic timer device 100 may include attachments, such as a key ring or holder to easily attach keys. (Staniszewski, paragraph 58) The Staniszewski reference, however, is not directed to parking meters, nor does it providing any disclosure, teaching, or suggestion of Applicant's claimed parking meter invention.

Applicant's invention as claimed provides a novel approach to setting the time on clocks on one or more parking meters. Previously this was accomplished, for example, by connecting a hand-held computer-like device to the meter when auditing the meter. The clock time on the

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parking meter could be set using the hand-held computer-like device. However, this is an inefficient and manually intensive process, particularly when setting clocks on numerous parking meters. It should be appreciated that the clock on parking meters needs to be accurate since parking meter rates may change depending on the time of day, and if the rates change based on an incorrect clock time, resulting parking tickets may be unenforceable. Also, it may be helpful for all of the parking meters in an area to be synchronized to the substantially the same/correct time so that the rates change on all the parking meters at substantially about the same time.

Applicant's invention, as claimed in claim 1 is directed to a parking meter that has a processor to process parking related information, a clock communicating with the processor, an antenna coupled to the parking meter to receive wireless broadcast data including time-of-day data based on an atomic clock, and a receiver to demodulate the wireless broadcast data received by the antenna. The processor is then operable to synchronize the clock based on the time-of-day data. The Examiner notes that the Staniszewski reference discloses, in paragraph 99, that the timer device 100 may be connectable wirelessly to an atomic time server to set the date or time. However the cited reference is directed to an electronic timer, not a parking meter. Applicant has carefully reviewed Staniszewski and has not found any disclosure or suggestion that the electronic timer device 100 is or could be a parking meter.

The cited reference fails to teach disclose or suggest "an antenna coupled to the parking meter" as recited in Applicant's claim 1, or "a processor of the parking meter" and "a clock on the parking meter" as recited in Applicant's claim 7 and dependent claim 8. Staniszewski discloses a timer, such as on a key chain, which fails to teach, disclose or suggest Applicant's parking meter invention. For these reasons, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 7 and 8 and pass same to issue.

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Rejection of Claims under 103(a)

The Examiner rejected claims 2 and 9-11, 14-15 under 35 USC § 103(a) as being unpatentable over Staniszewski further in view of King (U.S. Patent 5,014,071) regarding claim 2, further in view of Landis (U.S. Patent 5,561,461) regarding claim 9 and 14, and further in view of Diehl (U.S. Patent 6,525,995) regarding claims 10, 11 and 15. As discussed above Staniszewski fails to provide any teaching or disclosure of parking meters. Applicant has carefully reviewed King, Landis, and Diehl, and these references also fail to provide any teaching or disclosure of parking meters as well. Since Applicant's invention is a parking meter, the obviousness rejection is inappropriate based on these references. For this reason, Applicant respectfully requests the rejection of claims 2, 9-11 and 14-15 be withdrawn and these claims pass to issue.

The Examiner rejected Claim 3 under 35 USC § 103(a) as being unpatentable over Staniszewski further in view of Thomas (U.S. Patent 6,373,442). Applicant respectfully submits that there is no suggestion, teaching or motivation to combine the hand-held timer of Staniszewski with an antenna formed on a circuit board as disclosed in Thomas. Furthermore, the Examiner's reasoning for the combination is to save space which would produce a combination hand-held timer having a trace antenna and not a parking meter as recited in Applicant's claim 3. For this reason, Applicant respectfully submit that claim 3 is allowable.

The Examiner rejected claims 12 and 13 under 103(a) in view of Staniszewski alone. For the reasons stated above and incorporated herein by reference, Applicant respectfully submits that Staniszewski fails to provide any teaching or disclosure of a parking meter or Applicant's invention as claimed in claims 12 and 13. For these reasons, Applicant respectfully submits that claims 12 and 13 are allowable.

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The Examiner rejected claims 17, 19 and 25-27 under 35 USC § 103(a) as being unpatentable over Staniszewski further in view of Jacobs (U.S. Patent 5,642,119) regarding 17, 19 and 27, and Jacobs and Staniszewski further in view of Silberberg (U.S. patent publication 2003/0010821) regarding claims 25-26. Jacobs is directed to a parking meter with vehicle detection, while Silberberg is directed to a parking system and discloses a smart card. Applicant respectfully submits that there is no suggestion, teaching or motivation to combine the hand-held timer of Staniszewski with the parking meter disclosure of Jacobs to achieve Applicant's invention as claimed in claims 17, 19, and 27. Nor is there any suggestion, motivation, or teaching to further combine Silberberg to achieve Applicant's invention as claimed in claims 25-26. Without the proper suggestion, motivation, or teaching, to combine the references, the obviousness rejection is improper. For this reason, Applicant submits that these claims are allowable.

CONCLUSION

Applicant respectfully submits that the application, in its present form, is in condition for allowance. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, the Examiner is encouraged to telephone the undersigned at (972) 731-2288. Applicant intends this communication to be a complete response to the Office Action mailed July 26, 2005.

The Commissioner is hereby authorized to charge payment of any fee associated with any of the foregoing papers submitted herewith or any fees during the prosecution of the present case to Deposit Account No. 50-1515, Conley Rose, P.C.

Respectfully submitted,

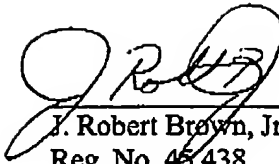
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